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6 Attorney for the United States of America

7 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 RICHARD ANTHONY HERNANDEZ,

13 Defendant.

Case No. 2:18-cr-00320-RFB-VCF

**STIPULATION TO EXTEND  
DEADLINE FOR DISCOVERY**

14 IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A.  
15 TRUTANICH, United States Attorney, and LINDA MOTT, Assistant United States Attorney,  
16 counsel for the United States of America, and JOSH TOMSHECK, ESQ., counsel for Defendant  
17 RICHARD ANTHONY HERNANDEZ, that the deadline for discovery be extended to  
18 March 29, 2019.

19 IT IS STIPULATED AND AGREED, that the government shall have to and including  
20 March 29, 2019, to provide any further discovery.

21 IT IS FURTHER STIPULATED AND AGREED, that the defendant herein shall have  
22 to and including April 26, 2019, to provide any reciprocal discovery.  
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1 This stipulation is entered into for the following reasons:

2 1. Counsel for Defendant Hernandez was recently appointed to this case. The  
3 additional time requested will allow counsel for Defendant Hernandez to review all of the  
4 discovery and meet with his client to discuss the discovery. The time requested will also allow  
5 counsel for Defendant Hernandez the opportunity to provide any reciprocal discovery.  
6 Moreover, the additional time will allow the parties to discuss a possible resolution to this case.

7 2. If the parties fail to resolve the case through negotiation, the additional time is  
8 necessary for the parties to prepare for trial.

9 3. The current trial date is March 25, 2019, however counsel for Defendant  
10 Hernandez has filed a stipulation to continue that date and time convenient to this Court, but no  
11 sooner than 60 days.

12 4. The parties agree to the extension of the discovery deadline.

13 5. The defendant is currently in custody and does not object to this extension.

14 6. This is the second stipulation to continue the discovery deadline filed herein.

15 DATED this 15<sup>th</sup> day of February, 2019.

16 Respectfully submitted,  
17 NICHOLAS A. TRUTANICH  
18 United States Attorney

19 //s//  
20 JOSH TOMSHECK, ESQ.  
21 Counsel for Defendant  
22 RICHARD ANTHONY HERNANDEZ

//s//  
LINDA MOTT  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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3 UNITED STATES OF AMERICA,

2:18-cr-00320-RFB-VCF

4 Plaintiff,

5 vs.

**ORDER**

6 RICHARD ANTHONY HERNANDEZ,

7 Defendant.

8 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
9 Court finds that:

10 1. Counsel for Defendant Hernandez was recently appointed to this case. The  
11 government is aware of its discovery obligations under Rule 16(c). The additional time for  
12 providing discovery is needed to allow counsel for Defendant Hernandez to thoroughly review  
13 all the discovery and discuss it with Defendant Hernandez. Additionally, the time requested  
14 will allow counsel for Defendant Hernandez to provide any reciprocal discovery to the  
15 Government.

16 2. The parties also need additional time to discuss any proposed negotiations. If the  
17 parties fail to resolve the case through negotiation, the additional time is necessary for the parties  
18 to prepare for trial.

19 3. The parties agree to the extension.

20 4. The defendant is currently in custody and does not object to an extension.

21 5. This is the second stipulation to continue the pleadings deadline filed herein.

22 For all of the above-stated reasons, the ends of justice would best be served by an  
23 extension of the deadline to provide discovery.

1 **ORDER**

2 IT IS THEREFORE ORDERED, that the government shall have to and including March  
3 29, 2019, to provide any further discovery.

4 IT IS FURTHER ORDERED, that the defendant shall have to and including April 26,  
5 2019, to provide any reciprocal discovery.

6 DATED this 15th day of February, 2019.

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9 THE HONORABLE RICHARD F. BOULWARE II  
10 UNITED STATES DISTRICT JUDGE  
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